

DOCKET NO.: XXXX

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard E. Kurtz

Confirmation No.: 7360

Application No.: 10/849,755

Group Art Unit: 1645

Filing Date: May 20, 2004

Examiner: Not Yet Known

For: Method for Diagnosing and Prescribing a Regimen of Therapy for Human Health Risk

DATE OF DEPOSIT: August 16, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Richard E. Kurtz

TYPED NAME: Richard E. Kurtz
REGISTRATION NO.: 19,263

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:

☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. _____, filed _____.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

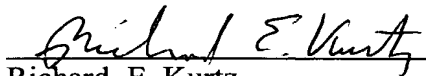
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- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☐ There are no listed references which are not in the English language.

Date: August 16, 2004

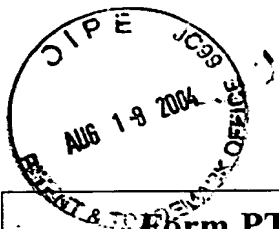

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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. XXXX	Application No. 10/849,755
	Applicant Richard E. Kurtz	
	Filing Date May 20, 2004	Group 1645
	Confirmation No. 7360	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
1	Venter G. et al., Science 2000, Vol. 291: 1304-1351; The Genome International Sequencing Consortium Nature 2000, Vol. 409: 860-921.	
2	Mironov et al. 1999; Genome Research 9: 1288-1293.	
3	"Fix Of A Sick System", Information Week, December 15, 2003.	
4	"No Slack in Government IT Demand" by Bill Snyder, TheStreet.com, February 5, 2003.	
5	"LIS and the Enterprise" by Rigoski.	
6	<i>General of the America Association</i> 79, 1200-1205 (1998).	
7	The Lancet 357, 1485-1489 (2001).	
8	"Accessing the Celera Human Genome Sequence Data"; Science Magazine; February 14, 2004; http://www.sciencemag.org/feature/data/announcement/gsp.shl	
9	Search Results – President Bush and Health Care Database	
10	Francis S. Collins, M.D., Ph.D., "The Human Genome Project: How Private Sector Developments Affect the Government Program"; June 17, 1998; http://www.house.gov/science/collins_06-17.htm .	
EXAMINER		DATE CONSIDERED



Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. XXXX	Application No. 10/849,755
	Applicant Richard E. Kurtz	
	Filing Date May 20, 2004	Group 1645
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U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	1	2003/0217037	01/21/03	Bicker et al.	707	1
	2					
	3					
	4					
	5					
	6					
	7					
	8					
	9					
	10					

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	11	WO 02/28460	05/18/00	PCT	X	
	12	US99/26521		PCT	X	
	13					
	14					
	15					

EXAMINER	DATE CONSIDERED
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